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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DAVIT BEKTASHYAN, an individual,  
Plaintiff,  
vs.  
GREATER CALIFORNIA FINANCIAL  
SERVICES, INC., A California Corporation  
WELLS FARGO BANK N.A., A National  
Association  
Defendants.

CASE NO. **CV 12-7445**

VERIFIED COMPLAINT FOR  
DAMAGES:

- 1) VIOLATIONS OF FEDERAL FAIR CREDIT REPORTING ACT;
- 2) VIOLATIONS OF CALIFORNIA'S CONSUMER CREDIT REPORTING AGENCIES ACT;
- 3) VIOLATIONS OF FEDERAL FAIR DEBT COLLECTION PRACTICES ACT;
- 4) VIOLATIONS OF CALIFORNIA'S ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT;
- 5) DECLARATORY RELIEF.

DEMAND FOR JURY TRIAL

2012 AUG 29 PM 3:39  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY

This action is brought by Plaintiff DAVIT BEKTASHYAN ("Plaintiff"), by and through his attorney Arshak Bartoumian, under the Fair Credit Reporting Act [15 U.S.C. §1681 et seq.] ("FCRA") and California's Consumer Credit Reporting Agencies Act [California Civil Code §1785.2 et seq.] ("CCRAA"), the Fair Debt Collection Practices Act [15 U.S.C. §1692-1692p] ("FDCPA") and California's

Rosenthal Fair Debt Collection Practices Act [California Civil Code §1788 et seq.] ("RFDCPA").

### PRELIMINARY STATEMENT

1. Congress enacted the FCRA to establish consumer rights to privacy over their credit and financial information and to ensure the "[a]ccuracy and fairness of credit reporting." FCRA provides several protections for consumers, including but not limited to the right to be notified of any negative/unfavorable information reported in their name and the right to dispute inaccurate, outdated and/or incomplete information on their credit file.
2. FCRA regulates credit reporting agencies as well as creditors, collection agencies and other parties who provide information to credit reporting agencies and/or obtain and use the consumer credit reports. FCRA Section 623, 15 U.S.C. §1681s-2, imposes obligations on furnishers of information to the credit reporting agencies. Furnishers must report accurate information, correct and update erroneous information, and provide certain notices to consumer pertaining to furnished information.
3. CCRAA was implemented to protect the credit information of California consumers. CCRAA also regulates consumer credit reporting agencies and furnishers of information with respect to personal, credit and other financial information submitted and maintained in their credit file. CCRAA in California Civil Code §1785.25-1785.26 refrains furnishers of information from reporting information that they know or should have known was erroneous, and obligates furnishers to cease credit reporting of information disputed by consumers without notice of such dispute.
4. CCRAA provides consumers with the right to be informed of negative credit reporting and the right to dispute information in their credit reports, which they believe is incomplete and/or inaccurate. Consumers also have the right to bring civil action against violators of any provision of the CCRAA with respect to their rights and their credit, and to seek monetary damages. California Civil Code §1785.19 and

§1785.31.

- 1  
2 5. The FDCPA regulates the behavior of collection agencies attempting to collect a  
3 debt on behalf of another. The United States Congress has found abundant evidence  
4 of the use of abusive, deceptive, and unfair debt collection practices by many debt  
5 collectors, and has determined that abusive debt collection practices contribute to a  
6 number of personal bankruptcies, marital instability, loss of jobs, and invasions of  
7 individual privacy. Congress enacted the FDCPA to eliminate abusive debt  
8 collection practices by debt collectors, to ensure that those debt collectors who  
9 refrain from using abusive debt collection practices are not competitively  
10 disadvantaged, and to promote uniform State action to protect consumers against  
11 debt collection abuses [15 U.S.C. §1692(a)-(e)].
- 12 6. The FDCPA is a strict liability statute, which provides for actual or statutory  
13 damages upon the showing of one violation. The Ninth Circuit has held that whether  
14 a debt collector's conduct violates the FDCPA should be judged from the standpoint  
15 of the "least sophisticated" consumer. [Baker v. G.C. Services Corp., 677 F.2d 775,  
16 778 (9<sup>th</sup> Cir. 1982); Swanson v. Southern Oregon Credit Service, Inc. 869 F.2d 1222,  
17 1227(9<sup>th</sup> Cir.1988)]. This objective standard "ensure[s] that the FDCPA protects all  
18 consumers, the gullible as well as the shrewd ... the ignorant, the unthinking and the  
19 credulous." [Clomon v. Jackson, 988 F.2d 1314, 1318-19 (2<sup>nd</sup> Cir. 1993)].
- 20 7. To prohibit deceptive practices the FDCPA, at 15 U.S.C. §1692e, outlaws the use of  
21 false, deceptive, and misleading collection letters and names a non-exhaustive list of  
22 certain per se violations of false and deceptive collection conduct. 15 U.S.C.  
23 §1692e(1)-(16).
- 24 8. To prohibit harassment and abuses by debt collectors the FDCPA, at 15 U.S.C.  
25 §1692d, provides that a debt collector may not engage in any conduct the natural  
26 consequence of which is to harass, oppress, or abuse any person in connection with  
27 the collection of a debt and names a non-exhaustive list of certain per se violations of  
28 harassing and abusive collection conduct. 15 U.S.C. §1692d(1)-(6). Among these per  
se violations prohibited by that section are: any collection activities and the

1 placement of telephone calls without meaningful disclosure of the caller's identity  
2 [15 U.S.C. §1692d(6)]

3 9. The FDCPA also prohibits, at 15 U.S.C. §1692c, without the prior consent of the  
4 consumer given directly to the debt collector, or the express permission of a court of  
5 competent jurisdiction, or as reasonably necessary to effectuate a post judgment  
6 judicial remedy, communication by a debt collector in connection with the collection  
7 of any debt, with any person other than the consumer, his attorney, a consumer  
8 reporting agency if otherwise permitted by law, the creditor, the attorney of the  
9 creditor, or the attorney of the debt collector.

10 10. The RFDCPA regulates collection agencies and original creditors attempting to  
11 collect debts on their own behalf. The California legislature has determined that the  
12 banking and credit system and grantors of credit to consumers are dependent upon  
13 the collection of just and owing debts and that unfair or deceptive collection  
14 practices undermine the public confidence that is essential to the continued  
15 functioning of the banking and credit system and sound extensions of credit to  
16 consumers. The Legislature has further determined that there is a need to ensure that  
17 debt collectors exercise their responsibility with fairness, honesty, and due regard for  
18 the debtor's rights and that debt collectors must be prohibited from engaging in  
19 unfair or deceptive acts or practices.

## 20 I. JURISDICTION AND VENUE

- 21 11. Jurisdiction of this Court arises under 15 U.S.C. §1681p, California Civil Code  
22 §1785.33, and 28 U.S.C. §1337.  
23 12. Supplemental jurisdiction rests upon 28 U.S.C. §1367.  
24 13. Venue is proper in this United States District Court, Central District of California  
25 because Defendants' violations alleged below occurred in the County of Los  
26 Angeles, State of California and within this District.

## 27 II. PRIVATE RIGHT OF ACTION

1  
2 14. FCRA Sections 616 and 617, 15 U.S.C. §1681n and §1681o, create private right of  
3 action consumers can bring against violators of any provision of the FCRA with  
4 regards to their credit.

5 15. DiMezza v. First USA Bank, Inc., supra: the court confirmed that "[...] the plain  
6 language of [CRA Sections 616 and 617, 15 U.S.C. §1681n and §1681o] provide a  
7 private right of action for a consumer against furnishers of information who have  
8 willfully or negligently failed to perform their duties upon notice of a dispute. [...]  
9 there is a private right of action for consumers to enforce the investigation and  
10 reporting duties imposed on furnishers of information."

11 16. Gorman v. MBNA America Bank, N.A., No. 06-17226 further established Private  
12 Remedy Against Furnishers by consumers and FCRA Section 1681s-2(b) triggers  
13 Defendants' furnisher's liability under this section, since Plaintiff made his initial  
14 disputes with the credit reporting agencies.

15 17. Cal. Civ. Code §1785.15(f) expressly states that consumers "have a right to bring civil  
16 action against anyone [...], who improperly obtains access to a file, knowingly or  
17 willfully misuses file data, or fails to correct inaccurate file data" concerning a  
18 consumer's credit report. Plaintiff has further right to action pursuant to Cal. Civ. Code  
19 §1785.31(a), which states that Plaintiff as "any consumer who suffers damages as a result  
20 of a violation of this title by any person may bring an action in a court of appropriate  
21 jurisdiction against that person to recover the following."

22 18. *Sanai v. Saltz, et al.*, 2009 Cal. App. LEXIS 83 (Cal. App. 2d Dist. Jan. 26, 2009)  
23 established that consumers may replead their FCRA claims as violations of the CCRAA  
24 and that the state claims are not preempted by FCRA. In further support, courts have  
25 uniformly rejected creditors' and consumer reporting agencies' arguments that the FCRA  
26 bars state law claims. See *Sehl v. Safari Motor Coaches, Inc.*, 2001 U.S. Dist. Lexis  
27 12638 (U.S.D.C. N.D. Cal. 2001)(for detailed discussion); *Harper v. TRW*, 881F. Supp.  
28 294 (U.S.D.C. S.D. Mich. 1995); *Rule v. Ford Receivables*, 36 F. Supp.2d 335 (U.S.D.C.  
S.D. Va. 1999); *Watkins v. Trans Union*, 118 F. Supp.2d 1217 (U.S.D.C. N.D. Ala.  
2000); *Swecker v. Trans Union*, 31 F. Supp.2d 536 (U.S.D.C. E.D. Va. 1998); *Saia v.*  
*Universal Card Svc.*, 2000 U.S. Dist. Lexis 9494, 2000 Westlaw 863979 (U.S.D.C. E.D.

- 1 La. 2000); Sherron v. Private Issue by Discover, 977 F. Supp.2d 804 (U.S.D.C. N.D.  
 2 Miss. 1997); Hughes v. Fidelity Bank, 709 F. Supp.2d 639 (U.S.D.C. E.D. Pa. 1989).  
 3 19. 15 U.S.C §1692k(a) states that "... any debt collector who fails to comply with any  
 4 provision of this title with respect to any person is liable to such person in an amount  
 5 equal to the sum of-."  
 6 20. Cal. Civ. Code §1788.30(a) states that "any debt collector who violates this title with  
 7 respect to any debtor shall be liable to that debtor only in an individual action..."

### 8 **III. THE PARTIES**

- 9  
 10 21. Plaintiff DAVIT BEKTASHYAN is a natural person residing in Los Angeles County,  
 11 State of California.  
 12 22. Plaintiff is a consumer as defined in 15 U.S.C. §1681a (c) and California Civil Code  
 13 §1785.3(b).  
 14 23. Defendant GREATER CALIFORNIA FINANCIAL SERVICES, INC ("GREATER") is  
 15 a California Corporation.  
 16 24. Defendant WELLS FARGO BANK, N.A. ("WELLS") is a National Association.  
 17 25. Defendants and each one of them is a person as defined in 15 U.S.C. §1681a (b) and  
 18 California Civil Code §1785.3(j).  
 19 26. Defendants and each one of them is a furnisher of information within the meaning of 15  
 20 U.S.C. §1681-s2.  
 21 27. Defendant GREATER is each a debt collector as defined in 15 U.S.C. §1692a (6) and  
 22 California Civil Code §1788.2(c).  
 23 28. Defendants acted through their agents, employees, directors, contractors and other  
 24 authorized parties acting within the course and scope of their employment or agency and  
 25 under the direct supervision and control of each respective Defendant.

### 26 **IV. FACTS COMMON TO ALL COUNTS**

- 27 29. In or around April, 2012 Plaintiff, who is not a minor, checked his credit reports from the  
 28 three national credit reporting agencies, Experian, Equifax and Transunion (collectively

1 “CRAs”), in which he discovered one or more credit accounts reported by GREATER  
2 (Account No. 8103940) and WELLS (Partial Account No. 44654005094...) With  
3 negative charged off status reported by Defendant WELLS, negative collection account  
4 reported by Defendant GREATER. These accounts were unfamiliar to Plaintiff, as he did  
5 not recall ever opening them. Plaintiff was also never informed by the furnishers of any  
6 of the negative credit reporting and he was never provided a dunning notices of debt by  
7 Defendant GREATER concerning the alleged obligation.

8 30. On or about April 10, 2012 Plaintiff contacted the CRAs and disputed the unknown credit  
9 accounts reported by the Defendants identified in paragraph 29, pursuant to 15 U.S.C.  
10 §1681s-2(b).

11 31. On or about May 08, 2012, following his credit bureau disputes, Plaintiff sent letters of  
12 dispute to Defendants GREATER and WELLS in which he requested documentation  
13 substantiating the existence, ownership and accuracy of the accounts reported by each of  
14 them to the CRAs, otherwise their immediate and permanent deletion from his credit file  
15 if the accounts were reported by error or simply could not be verified. Plaintiff's letter to  
16 Defendant GREATER and WELLS were specifically identified as a debt validation  
17 requests per 15 U.S.C. Section 1692g and it specifically addressed GREATER lack of  
18 notices and communications to Plaintiff regarding the debts and their failure to provide  
19 disclosures of Plaintiff's rights with respect to the collection of such debts.

20 32. Plaintiff's correspondences of May 08, 2012 to Defendants GREATER and WELLS were  
21 mailed via U.S. Postal Service

22 33. Upon receipt of Plaintiff's disputes, Defendants GREATER and WELLS each continued  
23 to report the disputed accounts to the CRAs all throughout the investigation period and  
24 thereafter, without notice that the accounts had been disputed by Plaintiff. They further  
25 failed to properly address Plaintiff's direct disputes with them and failed to provide for  
26 his requested verification for the disputed accounts.

27 34. Plaintiff followed up with Defendants GREATER and WELLS on June 11, 2012 and June  
28 22, 2012, resubmitting his requests and demanding deletion of the unverified accounts  
due to lack of verification, but each of his correspondences was left unanswered or was  
improperly handled and responded to.

35. In or around April, 2012 Plaintiff consulted with attorneys and credit professionals and



1 retained an agent to communicate with Defendants GREATER and WELLS on his behalf  
2 regarding his disputes, in an attempt to work towards an amicable resolution with respect  
3 to the reporting of the unverified accounts and the alleged debts.

4 36. Between April, 2012 and June 22, 2012 Plaintiff, through his agent, sent several letters to  
5 Defendants GREATER and WELLS seeking their cooperation in resolving Plaintiff's  
6 disputes. After months of failed attempts, Plaintiff could no longer bear the costs of  
7 communications, credit monitoring, and the efforts aimed at resolving his disputes.  
8 Plaintiff also could not afford legal counsel for proper representation of his case in court  
9 regarding these Defendants' violations.

10 37. In or around August 24, 2012, almost five months after his final communications with  
11 Defendants GREATER and WELLS Plaintiff obtained updated copies of his credit  
12 reports from CRAs, which continued to reflect all the disputed accounts reported by each  
13 of these Defendants.

14 38. To date Defendants and each one of them identified in this action continue to report the  
15 unverified accounts on Plaintiff's credit records despite knowing – or having reasonable  
16 cause to know – that Plaintiff did not owe any lawful debts to Defendants, and that the  
17 alleged debts were invalid, in violation of 15 U.S.C. §1681s-2(a) .

18 39. The inaccurate accounts negatively reflect upon Plaintiff as a consumer, borrower/debtor  
19 and they negatively impact his creditworthiness and financial standing.

20 40. Plaintiff has suffered and continues to suffer financial and emotional distress as a result  
21 of Defendants' violations, which include but are not limited by the following:

- 22 a. Actual damages arising from monetary losses relating to denials to new credit, loss of use  
23 of funds, loss of credit and loan opportunities, excessive and/or elevated interest rate and  
24 finance charges, mental anguish and suffering, inconvenience, humiliation, frustration,  
25 anger, loss of sleep, and anxiety;
- 26 b. Out of pocket expenses associated with communicating with Defendants, disputing the  
27 credit information, and fees paid to attorneys and credit professionals for the assistance  
28 attained in the process;
- c. Emotional distress and mental anguish associated with having derogatory credit  
information transmitted about Plaintiff to other people both known and unknown;



1 d. Decreased credit score and creditworthiness, which may result in inability to obtain  
2 credit, employment or housing on future attempts.

3 41. Under 15 U.S.C. §1681o, Defendants are liable to Plaintiff for attorney's fees, costs, and  
4 actual damages. Further, since Defendants' violations were willful, Defendants are liable for  
5 statutory damages and punitive damages under 15 U.S.C. §1681n(a).  
6

7 **COUNT I**  
8 **Violations of FCRA**  
9 **Against All Defendants**  
10

11 42. Plaintiff repeats and reincorporates by reference the above paragraphs.

12 43. Defendants GREATER and WELLS knowingly and willfully violated the FCRA.  
13 Defendants' violations include, but are not limited to the following:

- 14 a. Furnishing inaccurate/unverified information to the CRAs in violation of 15 U.S.C.  
15 §1681s-2 (a);  
16 b. Failing to inform Plaintiff about negative credit reporting made on his credit report, prior  
17 to or within five (5) days of furnishing a collection account to the CRAs, in violation of  
18 15 U.S.C. §1681s-2 (a)(7)(A);  
19 c. Failing to conduct proper investigation of disputed information upon receipt of Plaintiff's  
20 dispute in violation of 15 U.S.C. §1681s-2 (a)(8)(E);  
21 d. Verifying disputed accounts with the CRAs prior to conducting thorough investigation  
22 and without having substantiating support for such verification;  
23 e. Reporting disputed information to the CRAs, without notice of Plaintiff's dispute, during  
24 the investigation period and prior to providing verification of accuracy in violation of 15  
25 U.S.C. §1681s-2 (a)(3);  
26 f. Continuing to report unverified information to the CRAs after lack of response and  
27 verification;  
28

**COUNT II**  
**Violations of CCRAA**  
**Against All Defendants**

44. Plaintiff repeats and reincorporates by reference the above paragraphs.

45. Defendants GREATER and WELLS knowingly and willfully violated CCRAA. Defendants' violations include, but are not limited to the following:

- a. Submitting negative credit information to Plaintiff's credit report with the CRAs, without notifying the Plaintiff in violation of California Civil Code §1785.26(b);
- b. Continuing to report the account to the CRAs, upon receipt of Plaintiff's dispute and during the investigation period, without notice that the account has been disputed by Plaintiff in violation of California Civil Code §1785.25(c);
- c. Failing to acknowledge Plaintiff's demand for investigation and correction of information furnished to the CRAs, following Plaintiff's receipt of CRAs' reinvestigation results in violation of California Civil Code §1785.30;

**COUNT III**  
**Violations of FDCPA**  
**Against Defendant GREATER**

46. Plaintiff repeats and reincorporates by reference the above paragraphs.

47. Defendant GREATER, knowingly and willfully violated the FDCPA by:

- a) Failing to provide dunning notice of debt and a ~~written notice of~~ Plaintiff's right to request validation of debt along with information about the alleged debt, including the name and contact information of the original creditor pursuant to 15 U.S.C. §1692g(a);
- b) Failing to cease collection activity and continuing to make collection efforts on the alleged debt without properly responding to Plaintiff's validation request pursuant to 15 U.S.C. §1692g(b);
- c) Failing to properly validate the alleged debt pursuant to 15 U.S.C. §1692g(b);

- d) Using false representations and deceptive means to collect or attempt to collect the alleged debt pursuant to 15 U.S.C. §1692e;
  - e) Using unfair or unconscionable means to collect or attempt to collect the alleged debt pursuant to 15 U.S.C. §1692f.
  - f) Attempting to collect an amount (including any interest fee, charge, or expense incidental to the principal obligation) not expressly authorized by the agreements if any exists between parties, in violation of 15 U.S.C. §1692f(1); and
  - g) Making false representations of the legal status of the debt, in violation of 15 U.S.C. §1692e(2)(A).
48. As a direct and proximate result of the conduct of the Defendants, and each of them, Plaintiff has suffered actual damages, in an amount subject to proof at trial.
49. As a result of the above violations of the FDCPA, Defendants, and each of them, are liable to Plaintiff for declaratory judgment that Defendants' conduct violated the FDCPA, and Plaintiff's actual damages, statutory damages, costs and attorney's fees.

**COUNT IV**  
**Violations of RFDCPA**  
**Against Defendant GREATER**

50. Plaintiff repeats and reincorporates by reference the above paragraphs.
51. Defendant GREATER willful violations of RFDCPA include, but are not limited to following facts performed in attempting to collect a consumer debt:
- a) Failing to comply with the provisions of RFDCPA pursuant to Civil Code §1788.17;
  - b) Using false representations and deceptive means to collect or attempt to collect debts, in violation of 15 U.S.C. §1692e(10), and California Civil Code Section 1788.17;
  - c) Using unfair and/or unconscionable means to collect an alleged debts, in violation of 15 U.S.C. §1692f, and California Civil Code Section 1788.17;
  - d) Attempting to collect an amount (including any interest, fee, charge, or expense incidental to the principal alleged obligations) not expressly authorized by the agreement

1 if any exists between the parties, in violation of 15 U.S.C. §1692f(1), and California Civil  
2 Code Section 1788.17;

3 e) Making false representations of the legal status of the debts, in violation of 15 U.S.C.  
4 §1692e(2)(A) and California Civil Code Section 1788.17; and

5 f) Failing to make the disclosure required under 1812.700(a).

6 52. As a direct and proximate result of the actions of the Defendants, and each of them,  
7 Plaintiff has suffered actual damages, in an amount subject to proof at the time of trial.

8 53. As a result of Defendants' violations of the RFDCPA, pursuant to Civil Code Section  
9 1788.30, Plaintiff is entitled to actual, statutory damages, attorney's fees and costs.

10  
11 **PRAYER FOR RELIEF**

12 **Declaratory Relief**

13 **Against All Defendants**

14  
15 54. Plaintiff repeats and reincorporates by reference the above paragraphs.

16 55. Plaintiff requests judgment in his favor and against the Defendants for:

17 1. Actual damages, per 15 U.S.C. §1681n (a)(1)(A) and/or Cal. Civ. Code  
18 §1785.31(a)(2)(A) against all Defendants; and per 15 U.S.C. §1692k(a)(1) and/or Civil  
19 Code §1788.30(a) against Defendants GREATER and WELLS, inclusive.

20 2. Statutory damages, per 15 U.S.C. §1681n (a)(1)(A) and/or Cal. Civ. Code  
21 §1785.19(a) against all Defendants; and per 15 U.S.C. §1692k(a)(2) and/or Civil Code  
22 §1788.30(b) against Defendants GREATER and WELLS inclusive.

23 3. Costs and reasonable attorney's fees, per 15 U.S.C. §1681n (c) and/or Code of Civil  
24 Procedure §490.020 against all Defendants; and 15 U.S.C. §1692k(a)(3), and/or Civil  
25 Code §1788.30(c) against Defendants GREATER and WELLS inclusive.

26 4. Punitive damages, per 15 U.S.C. §1681n (a)(2) and Cal. Civ. Code  
27 §1785.31(a)(2)(B), as the court may allow.

28 5. Injunctive relief, per Cal. Civ. Code §1785.31(b), ordering Defendants to delete the  
reporting of the unverified, inaccurate accounts.

6. Declaratory relief, which is available pursuant to 28 U.S.C. §2201 and §2202.

1 7. Any other relief as this Honorable Court deems appropriate.  
2

3 DATED: August 29, 2012

4 Respectfully submitted,  
5 By: Arshak Bartoumian  
6 ARSHAK BARTOUMIAN,  
7 Attorney for Plaintiff  
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**STATEMENT OF DAMAGES**

I, DAVIT BEKTASHYAN, have suffered from the following due to, or made worse by, the actions of the Defendants' credit reporting and debt collection activities:

- |   |                                      |                          |
|---|--------------------------------------|--------------------------|
| 1. Sleeplessness  | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 2. Fear of answering the telephone                            | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 3. Nervousness  | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 4. Fear of answering the door                                 | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 5. Embarrassment when speaking with family or friends         | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 6. Depressions (sad, anxious, or "empty" moods)               | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 7. Chest pains  | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 8. Feelings of hopelessness, pessimism                        | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 9. Feelings of guilt, worthlessness, helplessness             | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 10. Appetite and/or weight loss or overeating and weight gain | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 11. Thoughts of death, suicide or suicide attempts            | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 12. Restlessness or irritability                              | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 13. Headache, nausea, chronic pain or fatigue                 | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 14. Negative impact on my job                                 | <input checked="" type="radio"/> YES | <input type="radio"/> NO |
| 15. Negative impact on my relationships                       | <input checked="" type="radio"/> YES | <input type="radio"/> NO |

Other physical or emotional symptoms I believe are associated with abusive debt collection activities: \_\_\_\_\_

\_\_\_\_\_

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Pursuant to 28 U.S.C. §1746(2), I hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: August 29, 2012

  
Signed Name

DAVIT BEKTASHYAN  
Printed Name

**VERIFICATION OF COMPLAINT AND CERTIFICATION**


STATE OF CALIFORNIA

Plaintiff, DAVIT BEKTASHYAN, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendants, cause unnecessary delay to any Defendants, or create a needless increase in the cost of litigation to any Defendants, named in the Complaint.
5. I have filed this complaint in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. §1746(2), I, GAREGIN POGOSIAN hereby declare (or certify, verify or state) under penalty that the foregoing is true and correct.

Date: August 29, 2012



DAVIT BEKTASHYAN, Plaintiff



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> DAVIT BEKTASHYAN	<b>DEFENDANTS</b> GREATER CALIFORNIA FINANCIAL SERVICES, INC., A California Corporation WELLS FARGO BANK N.A., A National Association
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  ARSHAK BARTOUMIAN (SBN 210370): TEL. 818-532-9339 OMNIA LEGAL, INC 124 W STOCKER ST STE B, GLENDALE, CA 91202	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> <tr> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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**IV. ORIGIN** (Place an X in one box only.)

☒ 1 Original Proceeding    
 ☐ 2 Removed from State Court    
 ☐ 3 Remanded from Appellate Court    
 ☐ 4 Reinstated or Reopened    
 ☐ 5 Transferred from another district (specify):    
 ☐ 6 Multi-District Litigation    
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes    ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23: ☐ Yes    ☒ No                      **MONEY DEMANDED IN COMPLAINT:** \$ Not Yet Asserted

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 15 U.S.C. SEC. 1681, CAL CIV CODE 1785

**VII. NATURE OF SUIT** (Place an X in one box only.)

<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securitics/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV12-7445

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	VARIOUS

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	VARIOUS

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	VARIOUS

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved**

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** *[Signature]*

Date 08/29/2012

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))